



















## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 6 through 16, begin a new paragraph and insert:

"SECTION 2. IC 35-43-1-2, AS AMENDED BY P.L.158-2013, SECTION 453, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who recklessly, knowingly, or intentionally damages or defaces property of another person without the other person's consent commits criminal mischief, a Class B misdemeanor. However, the offense is:

(1) a Class A misdemeanor if the pecuniary loss is at least ~~two hundred fifty dollars (\$250)~~ **seven hundred fifty dollars (\$750)** but less than ~~two thousand five hundred dollars (\$2,500);~~ **fifty thousand dollars (\$50,000);** and

(2) a Level 6 felony if:

(A) the pecuniary loss is at least ~~two thousand five hundred dollars (\$2,500);~~ **fifty thousand dollars (\$50,000);**

(B) the damage causes a substantial interruption or impairment of utility service rendered to the public;

(C) the damage is to a public record; or

(D) the damage is to a law enforcement animal (as defined in IC 35-46-3-4.5).

(b) A person who recklessly, knowingly, or intentionally damages:

(1) a structure used for religious worship;

(2) a school or community center;

**(3) the property of an agricultural operation (as defined in IC 32-30-6-1);**

~~(4)~~ **(4)** the grounds:

(A) adjacent to; and

(B) owned or rented in common with;

a structure or facility identified in subdivision ~~(1) or (2);~~ **through (3);** or

~~(4)~~ **(5)** personal property contained in a structure or located at a facility identified in subdivision (1) ~~or (2);~~ **through (3);**

without the consent of the owner, possessor, or occupant of the property that is damaged, commits institutional criminal mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss **(or property damage, in the case of an agricultural**



**operation)** is at least ~~two hundred fifty dollars (\$250)~~ **seven hundred fifty dollars (\$750)** but less than ~~two thousand five hundred dollars (\$2,500);~~ **fifty thousand dollars (\$50,000)**, and a Level 5 felony if the pecuniary loss **(or property damage, in the case of an agricultural operation)** is at least ~~two thousand five hundred dollars (\$2,500);~~ **fifty thousand dollars (\$50,000)**.

(c) If a person is convicted of an offense under this section that involves the use of graffiti, the court may, in addition to any other penalty, order that the person's operator's license be suspended or invalidated by the bureau of motor vehicles for not more than one (1) year.

(d) The court may rescind an order for suspension or invalidation under subsection (c) and allow the person to receive a license or permit before the period of suspension or invalidation ends if the court determines that the person has removed or painted over the graffiti or has made other suitable restitution."

Page 2, line 22, delete "real property or" and insert ":

**(A) property of an agricultural operation that is used for the production, processing, propagation, packaging, cultivation, harvesting, care, management, or storage of an animal, plant, or other agricultural product, including any pasturage or land used for timber management; or**  
**(B)".**

Page 3, line 3, delete "a pecuniary loss" and insert "**property damage**".

Page 3, line 8, after "operation;" insert "**or**".

Page 3, delete lines 9 through 15.

Page 3, line 16, delete "(10)" and insert "**(9)**".

Page 3, line 32, delete "subdivisions (8) through (9)," and insert "**subdivision (8),**".

Page 3, line 33, delete "pecuniary loss" and insert "**property damage**".

Page 3, line 35, delete "subdivisions (8) through (9)," and insert "**subdivision (8),**".

Page 3, line 36, delete "pecuniary loss" and insert "**property damage**".



Page 4, line 13, delete "(b)(10)" and insert "**(b)(9)**".

Page 4, line 14, delete "(b)(10)" and insert "**(b)(9)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 101 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 8, Nays 2.

